

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTHERN CALIFORNIA
SAN FRANCISCO DIVISION**

NASSER HAMEDANI, an individual
doing business as GLOBAL VISION
UNLIMITED,

Plaintiff,

VS.

BAYER CORPORATION, an Indiana corporation, BAYER HEALTHCARE LLC, a Delaware Limited Liability Company,

Defendants.

Case No.: C05-02781 MJJ

**STIPULATION AND [PROPOSED] ORDER
CHANGING TIME OF ADR AND
DISCOVERY DEADLINES**

Courtroom: 11

Judge: Honorable Martin J. Jenkins

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for Plaintiff Nasser Hamedani (“Hamedani”) and Defendants Bayer Corporation and Bayer Healthcare LLC (collectively, “Bayer”), that there is good cause to continue the ADR and discovery deadlines as set forth herein.

Pursuant to Civil L.R. 6-2(a), the undersigned counsel of record declare that:

(1) On March 1, 2006, Defendants served their first set of written discovery requests to Plaintiff. Plaintiff responded to Defendants' written discovery requests on May 1, 2006. On March 7, 2006, Plaintiff served his first set of written discovery requests to Defendants. Defendants responded to Plaintiff's written discovery requests on June 8, 2006. Counsel for the parties have had several discussions about deposition dates. Currently, Plaintiff and Defendants plan to depose three witnesses each prior to engaging in mediation. All six depositions are tentatively planned to take place in August, 2006. Due to scheduling conflicts that caused minor delays in the depositions and discovery, the parties request some additional time to complete discovery and an additional 20 days to prepare for the Court-sponsored Mediation.

1 (2) On November 10, 2005, the Court initially set the deadline for Mediation on May
2 31, 2006. Pursuant to a stipulation by the parties on April 11, 2006, the Court continued the
3 Mediation deadline to August 31, 2006. The parties request an additional 20 days to conclude
4 the Mediation. The discovery schedule was first set by the Court's Pretrial Order of March 7,
5 2006.

6 (3) This is the parties' first request to modify the discovery schedule. The requested
7 changes will not impact the trial date, the settlement conference date, or the date by which
8 dispositive motions must be heard.

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1 Pursuant to Civil L.R. 6-2, the parties stipulate to and request an order changing the
2 following deadlines:

- 3 (a) The deadline for the Mediation will be **September 20, 2006**.
4 (b) Non-expert Discovery cutoff will be **November 17, 2006**.
5 (c) Designation of Experts will be due by **October 30, 2006**.
6 (d) Expert Reports will be due by **November 6, 2006**.
7 (e) Designation of Supplemental/Rebuttal Experts will be due by **December 4, 2006**.
8 (f) Supplemental/Rebuttal Reports will be due by **December 4, 2006**.
9 (g) Expert discovery cutoff will be **December 22, 2006**.

10 Respectfully submitted,

12 Dated: July 13, 2006

/s/ Patrick E Guevara
13 Attorneys for Plaintiff

14 MCNICHOLS RANDICK O'DEA & TOOLIATOS LLP
15 Everitt G. Beers
Kevin R. Martin
Patrick E. Guevara

16 Dated: July 13, 2006

/s/ Danielle B. Lemack
17 Attorneys for Defendants

18 GLYNN & FINLEY, LLP
19 Clement L. Glynn

20 PATTISHALL, MCAULIFFE, NEWBURY, HILLIARD
21 & GERALDSON LLP
Raymond I. Geraldson, Jr.
Thad Chaloemtiarana
Danielle B. Lemack
Angela K. Steele

23 **THE FOREGOING STIPULATION IS
24 APPROVED AND IS SO ORDERED.**

25 Dated: July 18, 2006


26 UNITED STATES DISTRICT JUDGE